

~~RECORDED AT PTO~~ 03 AUG 2005 #7

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## FACSIMILE TRANSMITTAL SHEET

DATE:	August 3, 2005	WW&R FILE NO.:	3877 P 009
TO:	EX. JOHN ANDERSON	FROM:	ROGER H. STEIN
COMPANY:	U.S. PATENT AND TRADEMARK OFFICE		
FAX NO.	703.305.3230		
YOUR REF.:	U.S. PATENT APPLICATION NO. 10/520,303		

NO. OF PAGES INCLUDING COVER PAGE: 10

RE: U.S. PATENT APPLICATION FOR "MATERIAL SEPARATING DEVICE"  
 INVENTORS: JOHN HASSARD AND ED MCKIGNEY  
 CONFIRMATION NO. 9846  
 SEC. 371 FILING OF PCT/GB03/002926

This fax may contain Attorney work product, which is privileged and confidential.

Should you have any problems with receipt of this facsimile transmission, please contact Kathy Rundquist at (312) 435-7642.  
 /229673

## Message:

Examiner Anderson:

A Notification of Missing Requirements was mailed April 12, 2005 to the incorrect law firm due to a typographical error in the Customer Number on the 371 Transmittal Letter for this Application. Attached are copies of the stamped returned postcard and the documents filed April 27, 2005 in response to the Notification of Missing Requirements.

Also, a Communication to Amy at MS PCT advising of that error, and the correction, were submitted April 18, 2005. We subsequently received a Notification of Missing Requirements mailed June 28, 2005.

We respectfully request acknowledgment of the receipt of these documents, and that the Notification of Missing Requirements has been accordingly responded to.

Very truly yours,

Kathleen Rundquist *Kathleen Rundquist*  
 Legal Secretary to Roger H. Stein

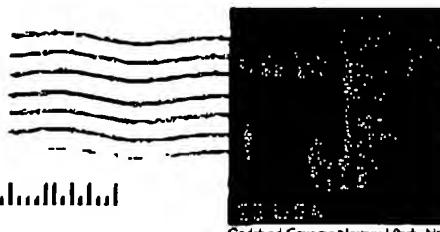
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Operator Init.: \_\_\_\_\_ Time Completed: \_\_\_\_\_

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PCT/PTO 03 AUG 2005 #7

**ENTERED**  
**3877 P 009**  
MAY - 9 2005 2005

**DOCKET**

ROGER H. STEIN  
WALLENSTEIN WAGNER & ROCKEY, LTD.  
311 S. WACKER DRIVE  
53<sup>RD</sup> FLOOR  
CHICAGO IL 60606-6630

**TO DOCKETING**

[REDACTED]

Date Mailed:	April 27, 2005	Due Date:	June 12, 2005
Express Mail Label No.:		RHS/kmr/216340	
Attorney Docket No.	3877 P 009	Deltadot/Kilburn & Strode	
Inventor(s): John Hassard and Ed McKigney			
Application No.	10/520,303	U.S. Filing Date:	January 5, 2005
Confirmation No.	9846	Non-Publication Requested:	
Title: Material Separation Device			
From: This is a 35 U.S.C. § Sec. 371 filing from PCT Intl App. No. PCT/GB03/002926 filed 08 July 2003 claiming priority from GB02/15779.0 filed 08 July 2002.			

## Enclosures:

1. Response to Notification of Missing Requirements, in duplicate.
2. Copy of Part 2 of Notification of Missing Requirements.
3. Copy of Declaration of Inventors/Assignors (2 pages).
4. Copy of Power of Attorney by Assignee and Certification Under 37 C.F.R. § 3.1(a)(6) by Deltadot Limited (2 pages).

**RECEIVED**

WALLENSTEIN WAGNER &amp; ROCKEY, LTD.

**JCO7 Rec'd PCT/PTO 29 APR 2005**

Date Mailed:	April 27, 2005		Due Date:	June 12, 2005
Express Mail Label No.:				RHS/kmr/216340
Attorney Docket No.	3877 P 009		Deltadot/Kilburn & Strode	
Inventor(s):	John Hassard and Ed McKigney			
Application No.	10/520,303	U.S. Filing Date:	January 5, 2005	
Confirmation No.	9846	Non-Publication Requested:		
Title: Material Separation Device				
From: This is a 35 U.S.C. § Sec. 371 filing from PCT Intl App. No. PCT/GB03/002926 filed 08 July 2003 claiming priority from GB02/15779.0 filed 08 July 2002.				

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4. Copy of Power of Attorney by Assignee and Certification Under 37 C.F.R. § 3.73(b) by Deltadot Limited (2 pages).

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PCT/PTO

03 AUG 2005

#7

Attorney Docket No. 3877 P 009

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Hassard and Ed McKigney

Application No.: 10/520,303

Confirmation No.: 9846

U.S. Filing Date: January 5, 2005

Examiner:

Art Unit:

International Application No.: PCT/GB03/002926

International Application Filing Date: July 8, 2003

Priority Date Claimed: July 8, 2002

For: Material Separation Device

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. § 371**

Mail Stop PCT  
 Attention: DO/US  
 Commissioner For Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.494. A copy of the "Notification Of Missing Requirements Under 35 U.S.C. § 371" dated April 12, 2005 is enclosed. No original Declaration or Oath was filed. Enclosed are copies of the original Declaration and the original Power of Attorney by Assignee and Certification Under 37 C.F.R. § 3.73(b) for this Application.

The proceedings herein are for a patent Application. The provisions of 37 C.F.R. § 1.136(a) apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 23-0280. A duplicate copy of this Response is enclosed for that purpose.

Respectfully submitted,

Roger H. Stein, Reg. No. 31,882  
 Wallenstein Wagner & Rockey, Ltd.  
 311 South Wacker Drive, 53rd Floor  
 Chicago, Illinois 60606-6630  
 312.554.3300

## Certification Under 37 C.F.R. § 1.10

I hereby certify that this document is being deposited with the United States Postal Service as first class mail, with postage prepaid, in an envelope addressed to: Mail Stop PCT, Attention: DO/US, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 27, 2005.

Kathleen Rundquist  
 Kathleen Rundquist/223800

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UNITED STATES PATENT AND TRADEMARK OFFICE

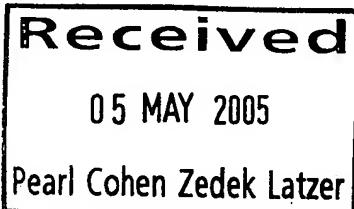


JC03 Rec'd PCT/PTO 17 MAY 2005 PCT

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
107520303	John Hassard	3877 P 009

23425  
KENNTH E CALLAHAN  
377 ABW/JAN  
2251 MAXWELL SE  
KIRTLAND AFB, NM 87117



INTERNATIONAL APPLICATION NO.

PCT/GB03/02926

I.A. FILING DATE	PRIORITY DATE
07/08/2003	07/08/2002

CONFIRMATION NO. 9846  
371 FORMALITIES LETTER  
\*OC000000015711700\*  
\*OC000000015711700\*

Date Mailed: 04/12/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/05/2005
- Copy of the International Search Report filed on 01/05/2005
- Preliminary Amendments filed on 01/05/2005
- Information Disclosure Statements filed on 01/05/2005
- U.S. Basic National Fees filed on 01/05/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,303	PCT/GB03/02926	3877 P 009

FORM PCT/DO/EO/905 (371 Formalities Notice)